

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF ALABAMA**

UNITED STATES OF AMERICA	)	ORDER OF TEMPORARY DETENTION
	)	PENDING HEARING PURSUANT TO
	)	BAIL REFORM ACT
v.	)	
	)	
	)	CASE NO. 2:08-CR-52-MHT
ANDREW O'NEAL LOWERY	)	
	)	

**ORDER**

Upon consideration of the *Government's Motion for Detention* (Doc. #7), it is **ORDERED** that a detention hearing in the above-case be and is hereby set for **May 12, 2008, at 2:00 p.m., in Courtroom, 4-B**, before the undersigned Magistrate Judge, at the Frank M. Johnson, Jr. Federal Building and United States Courthouse Complex, Montgomery, Alabama.

Pending this hearing, the defendant shall be held in custody by the United States Marshal and produced for the hearing.

Done this 8<sup>th</sup> day of May, 2008.

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/s/Charles S. Coody  
CHARLES S. COODY  
UNITED STATES MAGISTRATE JUDGE

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\*If not held immediately upon defendant's first appearance, the hearing may be continued for up to three days upon the motion of the Government, or up to five days upon motion of the defendant. 18 U.S.C. § 3142(f)(2). A hearing is required whenever the conditions set forth in 18 U.S.C. § 3142(f) are present. Subsection (1) sets forth the grounds that may be asserted only by the attorney for the Government; subsection (2) states that a hearing is mandated upon the motion of the attorney for the Government or upon the judicial officer's own motion if there is a serious risk that the defendant (a) will flee or (b) will obstruct or attempt to obstruct justice, or threaten, injure, or intimidate, or attempt to threaten, injure, or intimidate a prospective witness or juror.